

ORIGINAL

cc: KSC  
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FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII  
DEC 31 2007  
at 11 o'clock and 30 min. M.  
SUE BEITIA, CLERK

Attorney for Plaintiff and  
Counterclaim/Defendant  
Carol J. Nelson

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

CAROL J. NELSON,	)	CV 01-00182 KSC
	)	
Plaintiff,	)	
vs.	)	
	)	PLAINTIFF'S MOTION FOR
ROBERT ALAN JONES	)	AWARD OF ATTORNEY'S FEES;
	)	MEMORANDUM IN SUPPORT OF
Defendant.	)	MOTION; DECLARATION OF
	)	ENVER W. PAINTER, JR.;
	)	EXHIBITS "A" and
ROBERT ALAN JONES	)	CERTIFICATE OF SERVICE
	)	
Counterclaimant,	)	
vs.	)	Bench Trial:
	)	August 7, 2007
CAROL NELSON	)	Magistrate Judge
	)	Kevin S. S. Chang
Counterclaim	)	
Defendant.	)	
	)	


**PLAINTIFF'S MOTION FOR AWARD OF ATTORNEY'S FEES**

COMES NOW Plaintiff, Carol J. Nelson, by and through her undersigned counsel, and hereby moves for an award of attorney's fees incurred in the defense of Jones' assumpsit claim in the amount of \$77,832.49.

On September 18, 2007, Plaintiff Nelson moved for fees and costs incurred herein. Nelson was unable to file a Statement of Consultation within the time required because of the absence of her counsel and counsel for Defendant Jones from the country. Nelson's previous motion was therefore denied without prejudice by Order dated October 10, 2007 with leave to refile after the filing of a Statement of Consultation. Counsel for the parties subsequently conferred on December 6, 2007 and a Statement of Consultation was filed herein on December 20, 2007. Nelson therefore renews her request for the fees and costs incurred in defending against Jones breach of contract claims.

This motion is made pursuant to Rule 54(d) of the FRCP, LR 54.3 and HRS § 607-14 . This motion is supported by the attached memorandum, the Declaration of Enver W. Painter, Jr. and the Exhibits "A" attached thereto.

DATED: Honolulu, Hawaii, December 21, 2007.



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ENVER W. PAINTER, JR.  
Attorney for Plaintiff  
CAROL J. NELSON